

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: BRENNFLECK, Matthias Michael

SERIAL NO.: 10/780,283

ART UNIT: 3679

FILED: February 17, 2004

EXAMINER: Kennedy, J. T.

TITLE: CONNECTION ELEMENT

PETITION FOR REVIVAL OF AN APPLICATION
FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)
STATEMENT OF FACTS

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. § 1.137(b), the following is a statement of delay caused by unintentional circumstances.

1. The present application was filed on 17 February 2004 as a non-provisional utility patent application.
2. Eventually, a Notice of Allowance and Fee(s) Due was sent on June 7, 2006, indicating that the claims were allowed. The deadline for response was September 7, 2006.
3. Applicant did not timely respond to the Notice of Allowance. Applicant did not intend to fail to provide a response, in the form of payment of the Issue Fee and transmittal of formal drawings, to the U.S. Patent and Trademark Office. Applicant did not intend for the application to be abandoned.
4. As such, the Application was constructively abandoned as of September 7, 2006.
5. A Notice of Abandonment was sent on October 9, 2006.

6. The present petition is less than three months after the date the U.S. Patent and Trademark Office sent the Notice of Abandonment on October 9, 2006.
7. The present petition is less than one year after the date of actual abandonment by the U.S. Patent and Trademark Office on September 7, 2006.
8. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. § 1.137(b) was unintentional.

Applicant petitions for revival based upon unintentional delay, and Applicant has included a proper response, comprising transmittal of the formal drawings and payment of the Issue Fee, concurrent with the present filing of the Petition. Applicant files the required reply to secure revival of the patent application for issuance of the Official Letters Patent for subject matter, already determined to be allowable by the U.S. Patent and Trademark Office.

The present Petition for Revival is less than one year of the actual abandonment. The present Petition for Revival is less than three months after receiving Notice of Abandonment. This period of delay was not intentional. The entire period of delay, until the filing of the present grantable petition, was unintentional.

Applicant respectfully requests granting the Petition to Revive because the Applicant never intended for the application to be abandoned. No new matter has been added by the present amendment. Applicant respectfully contends that the application is now in a proper condition for issuance as an Official Letters Patent. The government fee of \$750 for a small entity is attached. Any additional fees for the petition to revive or any overpayment with regard to this petition and response to the Office Action may be credited or debited to Deposit Account 08-0879.

Respectfully submitted,

December 6, 2006

/Andrew W. Chu/

Date

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CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

I hereby certify that the attached correspondence comprising:

PETITION FOR REVIVAL OF AN APPLICATION (37 C.F.R. § 1.137(b))

is being deposited by electronic filing on December 6, 2006.

Respectfully submitted,

<u>December 6, 2006</u>	<u>/Andrew W. Chu/</u>
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